



#29

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

McKENZIE et al.

Serial No.: 09/163,089

Filed: September 29, 1998

Atty. File No.: 5036-1

For: "COMPOSITIONS FOR
IMMUNOTHERAPY AND USES
THEREOF"

Group Art Unit: 1645

Examiner: Zeman, Robert A.

PETITION FOR REVIVAL
OF APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY
(Under 37 CFR 1.137(b))

EXPRESS MAIL: EV190616480US

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The above-identified patent application became abandoned for failure to timely file a Notice of Appeal or a Request for Continued Examination after a final Office Action mailed on July 29, 2002, which set a period for reply of three months, extendable by three additional months pursuant to 37 CFR 1.136(a). A request for a one-month extension of time, with the requisite fee, was filed with an Amendment and Response to the final Office Action on November 27, 2002, which extended the time for response from October 29, 2002 to November 29, 2002. The abandonment date of this application is November 30, 2002.

Applicant hereby petitions for the revival of this application. Enclosed herewith, pursuant to 37 CFR 1.137(b), are:

(1) A petition fee according to 37 CFR 1.17(m) in the amount of \$650 for a small entity;

(2) A Request for Continued Examination and the requisite fees, including a request to fully consider the previously unentered amendments and Declaration under 37 CFR 1.132 that was not fully considered, filed on November 27, 2002 and December 18, 2002, as well as references for consideration in connection with an Information Disclosure Statement; and

(3) A statement that the entire delay was unintentional, according to 37 CFR 1.137(b)(3).

RECEIVED**FEB 07 2003****OFFICE OF PETITIONS**

It is believed that all required fees have been enclosed, but in the event that additional fees are due, please debit any deficiencies in any fees to Deposit Account 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Angela Dallas
Angela K. Dallas
Registration No. 42,460
1560 Broadway, Suite 1200
Denver, CO 80202-5141
(303) 863-9700

Date: February 3, 2003



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

McKENZIE et al.

Serial No.: 09/163,089

Filed: September 29, 1998

Atty. File No.: 5036-1

For: "COMPOSITIONS FOR
IMMUNOTHERAPY AND USES
THEREOF"

) Group Art Unit: 1645

) Examiner: Zeman, Robert A.

) STATEMENT PURSUANT TO
) 37 CFR 1.137(b)(3)

) **EXPRESS MAIL: EV190616480US**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This statement is provided under 37 CFR 1.137(b) in conjunction with a Petition For Revival of Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b).

The entire delay in filing the required Notice of Appeal or Request for Continued Examination in order to continue prosecution after a final Office Action mailed on July 29, 2002, from the due date for the reply until the filing of the grantable petition pursuant to 37 CFR 1.137(b), was unintentional.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Angela Dallas

Angela K. Dallas
Registration No. 42,460
1560 Broadway, Suite 1200
Denver, CO 80202-5141
(303) 863-9700

Date: February 3, 2003

RECEIVED

FEB 07 2003

OFFICE OF PETITIONS